



State of Wisconsin
2009 - 2010 LEGISLATURE

500w

LRB-4500/1 2

JTK&ARG:cjs:jf

in
3/24

RMNR

2009 BILL

Only changes are on
pp. 4, 65, 67

SAV

1 AN ACT *to repeal* 6.56 (5), 12.13 (3) (v) and 343.50 (4g); *to renumber* 6.79 (3);
2 *to renumber and amend* 6.87 (4) and 6.97 (3); *to amend* 5.35 (6) (a) 2., 5.35
3 (6) (a) 4a., 5.35 (6) (a) 4a., 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.15 (2) (d) 1r., 6.15 (3),
4 6.15 (3), 6.29 (1), 6.29 (2) (a), 6.33 (1), 6.33 (2) (b), 6.34 (2), 6.55 (2) (b), 6.55 (2)
5 (b), 6.55 (2) (c) 1., 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.79 (2) (a), 6.79 (2) (a), 6.79 (2)
6 (d), 6.79 (2) (d), 6.79 (3) (title), 6.79 (3) (title), 6.79 (3) (b), 6.79 (4), 6.79 (6), 6.79
7 (6), 6.82 (1) (a), 6.82 (1) (a), 6.86 (1) (ac), 6.86 (1) (ar), 6.86 (1) (ar), 6.86 (3) (a)
8 1., 6.86 (3) (a) 1., 6.86 (3) (a) 2., 6.869, 6.869, 6.87 (3) (d), 6.87 (4) (b) 1., 6.87 (4)
9 (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 5., 6.875 (title), 6.875 (2) (a), 6.875 (3) and (4),
10 6.875 (6) (a) and (b), 6.875 (6) (c) 1., 6.875 (6) (c) 1., 6.875 (6) (c) 2., 6.875 (6) (e),
11 6.875 (7), 6.88 (3) (a), 6.88 (3) (a), 6.97 (title), 6.97 (1), 6.97 (1), 6.97 (2), 6.97 (2),
12 6.97 (3) (a), 6.97 (3) (b), 6.97 (3) (c), 7.08 (8) (title), 7.08 (12), 7.52 (3) (a), 7.52 (3)
13 (a), 10.02 (3) (form) (a), 10.02 (3) (form) (a), 12.03 (2) (b) 3., 12.13 (2) (b) 6m.,
14 85.103 (2), 134.71 (8) (a) 2., 139.30 (4n), 343.19 (title), 343.19 (2) (intro.),

BILL

1 343.235 (title), 343.237 (title), 343.237 (6), 343.43 (2), 343.50 (3), 343.50 (4),
2 343.50 (5) (a) 1. and 343.50 (6); **to repeal and recreate** 343.19 (1), 343.22 (2),
3 343.22 (2m), 343.22 (3), 343.237 (2), 343.237 (3) (intro.), 343.50 (3), 343.50 (4),
4 343.50 (5) (a) 1. and 343.50 (6); and **to create** 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.79
5 (3) (b), 6.79 (7), 6.87 (4) (a), 6.87 (4) (b) 2., 6.87 (4) (b) 3., 6.87 (4) (b) 4., 6.87 (4)
6 (b) 5., 6.875 (1) (ap) and (asm), 6.875 (2) (d), 6.965, 6.97 (3) (a), 6.97 (3) (c), 7.08
7 (12), 125.085 (1) (f), 343.19 (2) (c), 343.50 (4g) and 343.505 of the statutes;
8 **relating to:** requiring certain identification in order to vote at a polling place
9 or obtain an absentee ballot, verification of the addresses of electors, absentee
10 voting procedure in certain residential care apartment complexes and adult
11 family homes, identification cards issued by the Department of Transportation,
12 creating an identification certificate issued by the Department of
13 Transportation, requiring the exercise of rule-making authority, and providing
14 a penalty.

Analysis by the Legislative Reference Bureau

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide his or her name and address. If the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector is not able to present any required proof of residence, as an alternative, current law permits an elector's registration information to be corroborated by another qualified elector who resides in the same municipality. In addition, an elector other than a military elector or an overseas elector, as defined by federal law, who registers by mail and who has not voted in an election in this state must provide one of the forms of identification specified by federal law, or a copy thereof if voting by absentee ballot, in order to be permitted to vote. Corroboration may not be substituted for this identification requirement, but an elector who cannot provide the required identification may cast a provisional ballot. The municipal clerk or board of election commissioners must determine whether electors casting provisional ballots are qualified to vote by 4 p.m. on the day after an election.

With certain limited exceptions, this bill requires each person attempting to register or vote at the polls on election day to present a valid Wisconsin driver's license issued to the person by the Department of Transportation (DOT), a valid,

BILL

current identification card issued to the person by a U.S. uniformed service, or a valid Wisconsin identification card issued to the person by DOT or, if DOT implements the provisions of the federal REAL ID Act, an identification certificate issued to the person by DOT (see below). A person whose address is confidential as a result of domestic abuse or in certain cases a person who has been required by a law enforcement officer to surrender his or her license (see below) is exempted from the requirement. Under the bill, any person who applies for an absentee ballot, except a military or overseas elector, as defined by federal law, or a person whose address is confidential as a result of domestic abuse, must provide a copy of the license or identification card, unless: 1) the person has already provided a copy of his or her license or identification card in connection with an absentee ballot cast at a previous election and has not changed his or her name or address since that election; 2) the person has been required by a law enforcement officer to surrender his or her license (see below); 3) the person is indefinitely confined, in which case the person may submit a statement signed by the person who witnesses his or her absentee ballot verifying his or her identity; or 4) the person is an occupant of any nursing home, or of a community-based residential facility, retirement home, adult family home, or residential care apartment complex where a municipality sends special voting deputies, in which case the person may submit a statement signed by the deputies verifying his or her identity. The bill continues current requirements for certain electors to provide proof of residence in order to register or to vote, but discontinues the use of corroborating electors to verify residence. If a person votes at a polling place fails to provide a license or identification card, the person may vote provisionally. If a person votes by absentee ballot and fails to provide a copy of the license or identification card, unless exempted from the requirement, the ballot is treated as a provisional ballot. A provisional ballot is marked by the poll workers, who immediately contact the municipal clerk or board of election commissioners. The person may then provide the required identification either at the polling place before the closing hour or at the office of the clerk or board. If the person does not provide the required identification to the clerk or board by 4 p.m. on the day following the election, the person's vote is not counted. If a person receives a citation from a law enforcement officer in any jurisdiction that is dated within 60 days of the date of an election and is required to surrender his or her Wisconsin operator's license at the time the citation is issued, the elector may present an original copy of the citation or notice of intent to revoke or suspend the elector's operator's license in lieu of his or her operator's license or, if the elector is voting an absentee ballot by mail, may enclose a copy of the citation or notice in lieu of a copy of his or her operator's license. In this case, the bill provides that the elector's ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned.

The bill also directs the Government Accountability Board, in conjunction with the first regularly scheduled primary and election at which the voter identification requirements created by the bill initially apply, to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements created by the bill. In addition, the bill directs the board to conduct

BILL

an ongoing outreach effort to identify and contact groups of electors who may need assistance in obtaining or renewing licenses or identification cards for voting purposes and to provide assistance in obtaining or renewing those licenses or identification cards.

The bill also permits an elector who is eligible to obtain a Wisconsin identification card to obtain the card from DOT free of charge, if the elector specifically requests not to be charged. The bill permits an applicant to receive a Wisconsin identification card without a photograph being taken, as currently required, if the applicant provides an affidavit stating that he or she has sincerely held religious beliefs against being photographed, that he or she is a member of a religious organization or identifies with the tenets of a religious organization and names that organization, that the religious tenets of that organization prohibit such photographing, and that he or she requests the identification card for the purpose of voting.

Under 2007 Wisconsin Act 20 (the biennial budget bill), certain provisions specified in the federal REAL ID Act are incorporated into state law as of May 11, 2008 or as of the date specified in a notice from DOT stating that DOT is ready to implement the federal REAL ID Act and providing the date of implementation, whichever date is later. Among these provisions is the requirement that each operator's license and identification card include a photograph.

This bill creates an identification certificate to be issued by DOT beginning at the time that DOT implements the provisions of the federal REAL ID Act. A person is eligible for an identification certificate if the person, ~~is at least 18 years of age, a resident of this state, and a citizen of the United States~~. Identification certificates must be the same size as an operator's license but must be of a design that is readily distinguishable from the design of operator's licenses and identification cards. Each identification certificate must bear the words "IDENTIFICATION CERTIFICATE." As required by the federal REAL ID Act, identification certificates must clearly state on their face that they may not be accepted by any federal agency for federal identification or any other official purpose and must use a unique design or color indicator to alert federal agency and other law enforcement personnel that they may not be accepted for any such purpose. Each identification certificate must include a color photograph unless the identification certificate applicant provides an affidavit containing specified information, including that the applicant has a sincerely held religious belief against being photographed. An identification certificate is valid for eight years and the fee for an identification certificate is \$18 unless the applicant requests that the identification certificate be issued without charge.

The bill treats an identification certificate similarly to an identification card for some purposes and differently from an identification card for other purposes. The security standards for issuance of an identification certificate are not as strict as the standards applicable to an identification card after implementation of the federal REAL ID Act. However, when used for purposes of voting, an identification certificate has the same status as an identification card, as described above. Upon implementation of the provisions of the federal REAL ID Act, DOT may no longer provides the same information that an elector is required to provide in order to register to vote and signs a statement affirming that the information is correct.

BILL

issue an identification card without a photograph and a person may no longer obtain an identification card from DOT free of charge.

Currently, municipalities must send two special voting deputies (one designated by each major political party if the party wishes) to conduct absentee voting in nursing homes. Municipalities may also send the deputies to conduct absentee voting in community-based residential facilities and retirement homes that qualify for the service in accordance with standards prescribed by law. This bill permits municipal clerks and boards of election commissioners to send two special voting deputies to conduct absentee voting in adult family homes and residential care apartment complexes that qualify for the service in accordance with similar standards prescribed by law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 5.35 (6) (a) 2. of the statutes is amended to read:

2 5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)
3 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (v) and (x), together with the applicable
4 penalties provided in s. 12.60 (1).

5 **SECTION 2.** 5.35 (6) (a) 4a. of the statutes is amended to read:

6 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a
7 license or identification card is required under s. 6.79 (2) or for whom proof of
8 residence under s. 6.34 is required under s. 6.55 (2).

9 **SECTION 3.** 5.35 (6) (a) 4a. of the statutes, as affected by 2009 Wisconsin Act
10 (this act), is amended to read: `

11 5.35 (6) (a) 4a. Instructions prescribed by the board for electors for whom a
12 license or, identification card, or identification certificate is required under s. 6.79 (2)
13 or for whom proof of residence under s. 6.34 is required under s. 6.55 (2).

14 **SECTION 4.** 6.15 (2) (bm) of the statutes is created to read:

BILL

1 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
2 person at the office of the municipal clerk, each applicant shall present a valid
3 operator's license issued to the person under ch. 343, a valid, current identification
4 card issued to the person by a U.S. uniformed service, or a valid identification card
5 issued to the person under s. 343.50. If any document presented by the applicant is
6 not proof of residence under s. 6.34, the applicant shall also present proof of residence
7 under s. 6.34.

8 **SECTION 5.** 6.15 (2) (bm) of the statutes, as created by 2009 Wisconsin Act
9 (this act), is amended to read:

10 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
11 person at the office of the municipal clerk, each applicant shall present a valid
12 operator's license issued to the person under ch. 343, a valid, current identification
13 card issued to the person by a U.S. uniformed service, ~~or~~ a valid identification card
14 issued to the person under s. 343.50, or a valid identification certificate issued to the
15 person under s. 343.505. If any document presented by the applicant is not proof of
16 residence under s. 6.34, the applicant shall also present proof of residence under s.
17 6.34.

18 **SECTION 6.** 6.15 (2) (d) 1g. of the statutes is created to read:

19 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
20 municipal clerk, the clerk shall verify that the name on the license or identification
21 card provided by the elector under par. (bm) is the same as the name on the elector's
22 application and shall verify that any photograph appearing on that document
23 reasonably resembles the elector.

24 **SECTION 7.** 6.15 (2) (d) 1g. of the statutes, as created by 2009 Wisconsin Act
25 (this act), is amended to read:

BILL

1 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
2 municipal clerk, the clerk shall verify that the name on the license or identification
3 card, or identification certificate provided by the elector under par. (bm) is the same
4 as the name on the elector's application and shall verify that any photograph
5 appearing on that document reasonably resembles the elector.

6 **SECTION 8.** 6.15 (2) (d) 1r. of the statutes is amended to read:

7 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
8 the municipal clerk shall ~~require the elector to provide proof of residence under s.~~
9 ~~6.34. If the elector cannot provide proof of residence, the elector may have his or her~~
10 ~~residence corroborated in a statement that is signed by another elector of the~~
11 ~~municipality and that contains the current street address of the corroborating~~
12 ~~elector. If the residence is corroborated by another elector, that elector shall then~~
13 ~~provide proof of residence under s. 6.34~~ permit the elector to cast his or her ballot for
14 president and vice president. The elector shall then mark the ballot in the clerk's
15 presence in a manner that will not disclose his or her vote. The elector shall then fold
16 the ballot so as to conceal his or her vote. The clerk or elector shall then place the
17 ballot in an envelope furnished by the clerk.

18 **SECTION 9.** 6.15 (3) of the statutes is amended to read:

19 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the
20 polling place for the ward or election district where he or she resides and make
21 application for a ballot under sub. (2). Except as otherwise provided in this
22 subsection, an elector who casts a ballot under this subsection shall follow the same
23 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
24 The inspectors shall perform the duties of the municipal clerk, except that the
25 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk

BILL

1 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
2 proper completion of the application and cancellation card and ~~submittal of proof of~~
3 ~~residence under s. 6.34 or providing corroboration of residence~~ verification of the
4 elector's license or identification card as provided in sub. (2) (d) 1g., the inspectors
5 shall permit the elector to cast his or her ballot for president and vice president. The
6 elector shall mark the ballot and, unless the ballot is utilized with an electronic
7 voting system, the elector shall fold the ballot, and deposit the ballot into the ballot
8 box or give it to the inspector. The inspector shall deposit it directly into the ballot
9 box. Voting machines or ballots utilized with electronic voting systems may only be
10 used by electors voting under this section if they permit voting for president and vice
11 president only.

12 **SECTION 10.** 6.15 (3) of the statutes, as affected by 2009 Wisconsin Act (this
13 act), is amended to read:

14 **6.15 (3) PROCEDURE AT POLLING PLACE.** An eligible elector may appear at the
15 polling place for the ward or election district where he or she resides and make
16 application for a ballot under sub. (2). Except as otherwise provided in this
17 subsection, an elector who casts a ballot under this subsection shall follow the same
18 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
19 The inspectors shall perform the duties of the municipal clerk, except that the
20 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk
21 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
22 proper completion of the application and cancellation card and verification of the
23 elector's license ~~or~~ identification card, or identification certificate as provided in sub.
24 (2) (d) 1g., the inspectors shall permit the elector to cast his or her ballot for president
25 and vice president. The elector shall mark the ballot and, unless the ballot is utilized

BILL

1 with an electronic voting system, the elector shall fold the ballot, and deposit the
2 ballot into the ballot box or give it to the inspector. The inspector shall deposit it
3 directly into the ballot box. Voting machines or ballots utilized with electronic voting
4 systems may only be used by electors voting under this section if they permit voting
5 for president and vice president only.

6 **SECTION 11.** 6.29 (1) of the statutes is amended to read:

7 6.29 (1) No names may be added to a registration list for any election after the
8 close of registration, except as authorized under this section or s. 6.55 (2) or 6.86 (3)
9 (a) 2. Any person whose name is not on the registration list but who is otherwise a
10 qualified elector is entitled to vote at the election upon compliance with this section,
11 if the person complies with all other requirements for voting at the polling place.

12 **SECTION 12.** 6.29 (2) (a) of the statutes is amended to read:

13 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
14 a registration form or whose name does not appear on the registration list of the
15 municipality may register after the close of registration but not later than 5 p.m. or
16 the close of business, whichever is later, on the day before an election at the office of
17 the municipal clerk and at the office of the clerk's agent if the clerk delegates
18 responsibility for electronic maintenance of the registration list to an agent under
19 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
20 a registration form containing all information required under s. 6.33 (1). The
21 registration form shall also contain the following certification: "I, ..., hereby certify
22 that, to the best of my knowledge, I am a qualified elector, having resided at ... for
23 at least 10 days immediately preceding this election, and I have not voted at this
24 election". The elector shall also provide proof of residence under s. 6.34.
25 ~~Alternatively, if the elector is unable to provide proof of residence under s. 6.34, the~~

BILL

1 ~~information contained in the registration form shall be corroborated in a statement~~
2 ~~that is signed by any other elector of the municipality and that contains the current~~
3 ~~street address of the corroborating elector. The corroborating elector shall then~~
4 ~~provide proof of residence under s. 6.34.~~ If the elector is registering after the close
5 of registration for the general election and the elector presents a valid driver's license
6 issued by another state, the municipal clerk or agent shall record on a separate list
7 the name and address of the elector, the name of the state, and the license number
8 and expiration date of the license.

9 **SECTION 13.** 6.33 (1) of the statutes is amended to read:

10 6.33 (1) The board shall prescribe the format, size, and shape of registration
11 forms. All forms shall be printed on cards and each item of information shall be of
12 uniform font size, as prescribed by the board. The municipal clerk shall supply
13 sufficient forms to meet voter registration needs. The forms shall be designed to
14 obtain from each applicant information as to name; date; residence location;
15 citizenship; date of birth; age; the number of a valid operator's license issued to the
16 elector under ch. 343 or the last 4 digits of the elector's social security account
17 number; whether the applicant has resided within the ward or election district for
18 at least 10 days; whether the applicant has been convicted of a felony for which he
19 or she has not been pardoned, and if so, whether the applicant is incarcerated, or on
20 parole, probation, or extended supervision; whether the applicant is disqualified on
21 any other ground from voting; and whether the applicant is currently registered to
22 vote at any other location. The form shall include a space for the applicant's
23 signature ~~and the signature of any corroborating elector.~~ The form shall include a
24 space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6)
25 or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form

BILL

1 and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,
2 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.
3 The form shall include a space for entry of the ward and aldermanic district, if any,
4 where the elector resides and any other information required to determine the offices
5 and referenda for which the elector is certified to vote. The form shall also include
6 a space where the clerk may record an indication of whether the form is received by
7 mail, a space where the clerk may record an indication of the type of identifying
8 document submitted by the elector as proof of residence under s. 6.34, whenever
9 required, and a space where the clerk, for any applicant who possesses a valid voting
10 identification card issued to the person under s. 6.47 (3), may record the
11 identification serial number appearing on the voting identification card. Each
12 county clerk shall obtain sufficient registration forms for completion by an elector
13 who desires to register to vote at the office of the county clerk under s. 6.28 (4).

14 **SECTION 14.** 6.33 (2) (b) of the statutes is amended to read:

15 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall
16 be signed by the registering elector ~~and any corroborating elector under s. 6.29 (2)~~
17 ~~(a) or 6.55 (2)~~ before the clerk, issuing officer or registration deputy. The form shall
18 contain a certification by the registering elector that all statements are true and
19 correct.

20 **SECTION 15.** 6.34 (2) of the statutes is amended to read:

21 6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon~~ Upon
22 completion of a registration form prescribed under s. 6.33, each elector who is
23 required to register under s. 6.27, who is not a military elector or an overseas elector
24 and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall
25 provide an identifying document that establishes proof of residence under sub. (3).

BILL

1 Each elector who is required to register under s. 6.27 who is not a military elector or
2 an overseas elector who registers by mail, and who has not voted in an election in this
3 state shall, if voting in person, provide an identifying document that establishes
4 proof of residence under sub. (3) or, if voting by absentee ballot, provide a copy of an
5 identifying document that establishes proof of residence under sub. (3). If the elector
6 registered by mail, the identifying document may not be a residential lease.

7 **SECTION 16.** 6.55 (2) (b) of the statutes is amended to read:

8 6.55 (2) (b) Upon executing the registration form under par. (a), except as
9 authorized under s. 6.79 (7), the elector shall be required by a special registration
10 deputy or inspector to present a valid operator's license issued to the elector under
11 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
12 service, or a valid identification card issued to the elector under s. 343.50. If any
13 document presented is not proof of residence under s. 6.34, the elector shall also
14 provide proof of residence under s. 6.34. If the elector cannot provide proof of
15 residence, the information contained in the registration form shall be corroborated
16 in a statement that is signed by any elector who resides in the same municipality as
17 the registering elector and that contains the current street address of the
18 corroborating elector. The corroborator shall then provide proof of residence as
19 provided in s. 6.34. If the elector is registering to vote in the general election and the
20 elector presents a valid driver's license issued by another state, the inspector or
21 deputy shall record on a separate list the name and address of the elector, the name
22 of the state, and the license number and expiration date of the license. The signing
23 by the elector executing the registration form and by any corroborator shall be in the
24 presence of the special registration deputy or inspector who shall then print his or
25 her name on and sign the form, indicating that the deputy or inspector has accepted

BILL

1 the form. Upon compliance with this procedure, the elector shall be permitted to cast
2 his or her vote, if the elector complies with all other requirements for voting at the
3 polling place.

4 **SECTION 17.** 6.55 (2) (b) of the statutes, as affected by 2009 Wisconsin Act
5 (this act), is amended to read:

6 6.55 (2) (b) Upon executing the registration form under par. (a), except as
7 authorized under s. 6.79 (7), the elector shall be required by a special registration
8 deputy or inspector to present a valid operator's license issued to the elector under
9 ch. 343, a valid, current identification card issued to the elector by a U.S. uniformed
10 service, ~~or~~ a valid identification card issued to the elector under s. 343.50, or a valid
11 identification certificate issued to the elector under s. 343.505. If any document
12 presented is not proof of residence under s. 6.34, the elector shall also provide proof
13 of residence under s. 6.34. If the elector is registering to vote in the general election
14 and the elector presents a valid driver's license issued by another state, the inspector
15 or deputy shall record on a separate list the name and address of the elector, the name
16 of the state, and the license number and expiration date of the license. The signing
17 by the elector executing the registration form and by any corroborator shall be in the
18 presence of the special registration deputy or inspector who shall then print his or
19 her name on and sign the form, indicating that the deputy or inspector has accepted
20 the form. Upon compliance with this procedure, the elector shall be permitted to cast
21 his or her vote, if the elector complies with all other requirements for voting at the
22 polling place.

23 **SECTION 18.** 6.55 (2) (c) 1. of the statutes is amended to read:

24 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
25 (a) and (b), the board of election commissioners, or the governing body of any

BILL

1 municipality may by resolution require a person who qualifies as an elector and who
2 is not registered and desires to register on the day of an election to do so at another
3 readily accessible location in the same building as the polling place serving the
4 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
5 instead of at the polling place serving the elector's residence. In such case, the
6 municipal clerk shall prominently post a notice of the registration location at the
7 polling place. The elector who desires to register shall execute a registration form
8 as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a valid
9 operator's license issued to the person under ch. 343, a valid, current identification
10 card issued to the person by a U.S. uniformed service, or a valid identification card
11 issued to the person under s. 343.50. If any document presented by the person is not
12 acceptable proof of residence under s. 6.34, the person shall also provide proof of
13 residence as provided under s. 6.34. If the elector cannot provide proof of residence,
14 the information contained in the registration form shall be corroborated in the
15 manner provided in par. (b). If the elector a person is registering to vote in the general
16 election and the elector person presents a valid driver's license issued by another
17 state, the municipal clerk, deputy clerk, or special registration deputy shall record
18 on a separate list the name and address of the elector person, the name of the state,
19 and the license number and expiration date of the license. The signing by the elector
20 person executing the registration form and by any corroborator, except as provided
21 under par. (a), shall be in the presence of the municipal clerk, deputy clerk or special
22 registration deputy. The municipal clerk, the deputy clerk, or the special registration
23 deputy shall then print his or her name and sign the form, indicating that the clerk,
24 deputy clerk, or deputy has accepted the form. Upon proper completion of
25 registration, the municipal clerk, deputy clerk or special registration deputy shall

BILL

1 serially number the registration and give one copy to the elector person for
2 presentation at the polling place serving the elector's person's residence or an
3 alternate polling place assigned under s. 5.25 (5) (b).

4 **SECTION 19.** 6.55 (2) (c) 1. of the statutes, as affected by 2009 Wisconsin Act
5 (this act), is amended to read:

6 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
7 (a) and (b), the board of election commissioners, or the governing body of any
8 municipality may by resolution require a person who qualifies as an elector and who
9 is not registered and desires to register on the day of an election to do so at another
10 readily accessible location in the same building as the polling place serving the
11 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
12 instead of at the polling place serving the elector's residence. In such case, the
13 municipal clerk shall prominently post a notice of the registration location at the
14 polling place. The elector who desires to register shall execute a registration form
15 as prescribed under par. (a) and, except as authorized in s. 6.79 (7), present a valid
16 operator's license issued to the person under ch. 343, a valid, current identification
17 card issued to the person by a U.S. uniformed service, ~~or~~ a valid identification card
18 issued to the person under s. 343.50, or a valid identification certificate issued to the
19 person under s. 343.505. If any document presented by the person is not acceptable
20 proof of residence under s. 6.34, the person shall also provide proof of residence as
21 provided under s. 6.34. If a person is registering to vote in the general election and
22 the person presents a valid driver's license issued by another state, the municipal
23 clerk, deputy clerk, or special registration deputy shall record on a separate list the
24 name and address of the person, the name of the state, and the license number and
25 expiration date of the license. The signing by the person executing the registration

BILL

1 form, except as provided under par. (a), shall be in the presence of the municipal
2 clerk, deputy clerk or special registration deputy. The municipal clerk, the deputy
3 clerk, or the special registration deputy shall then print his or her name and sign the
4 form, indicating that the clerk, deputy clerk, or deputy has accepted the form. Upon
5 proper completion of registration, the municipal clerk, deputy clerk or special
6 registration deputy shall serially number the registration and give one copy to the
7 person for presentation at the polling place serving the person's residence or an
8 alternate polling place assigned under s. 5.25 (5) (b).

9 **SECTION 20.** 6.55 (2) (c) 2. of the statutes is amended to read:

10 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
11 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
12 of the proper polling place directing that the elector be permitted to cast his or her
13 vote if the elector complies with all requirements for voting at the polling place. The
14 clerk shall enter the name and address of the elector on the face of the certificate.
15 ~~If the elector's registration is corroborated, the clerk shall also enter the name and~~
16 ~~address of the corroborator on the face of the certificate.~~ The certificate shall be
17 numbered serially and prepared in duplicate. The municipal clerk shall preserve one
18 copy in his or her office.

19 **SECTION 21.** 6.56 (5) of the statutes is repealed.

20 **SECTION 22.** 6.79 (2) (a) of the statutes is amended to read:

21 6.79 (2) (a) Unless information on the poll list is entered electronically, the
22 municipal clerk shall supply the inspectors with 2 copies of the most current official
23 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
24 place. Except as provided in sub- subs. (6) and (7), each ~~person~~ elector, before
25 receiving a serial number, shall state his or her full name and address and present

BILL

1 to the officials a valid operator's license issued to the elector under ch. 343, a valid,
2 current identification card issued to the elector by a U.S. uniformed service, or a valid
3 identification card issued to the elector under s. 343.50. The officials shall verify that
4 the name and address ~~provided~~ stated by the ~~person~~ elector are the same as the
5 ~~person's~~ elector's name and address on the poll list.

6 **SECTION 23.** 6.79 (2) (a) of the statutes, as affected by 2009 Wisconsin Act
7 (this act), is amended to read:

8 6.79 (2) (a) Unless information on the poll list is entered electronically, the
9 municipal clerk shall supply the inspectors with 2 copies of the most current official
10 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
11 place. Except as provided in subs. (6) and (7), each elector, before receiving a serial
12 number, shall state his or her full name and address and present to the officials a
13 valid operator's license issued to the elector under ch. 343, a valid, current
14 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
15 identification card issued to the elector under s. 343.50, or a valid identification
16 certificate issued to the elector under s. 343.505. The officials shall verify that the
17 name and address stated by the elector are the same as the elector's name and
18 address on the poll list.

19 **SECTION 24.** 6.79 (2) (d) of the statutes is amended to read:

20 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
21 required and the document provided by the elector under par. (a) does not constitute
22 proof of residence under s. 6.34, the officials shall require the elector to provide proof
23 of residence. If proof of residence is provided, the officials shall verify that the name
24 and address on the identification document submitted as proof of residence provided
25 is the same as the name and address shown on the registration list. If proof of

BILL

1 residence is required and not provided, or if the elector does not present a license or
2 identification card under par. (a), whenever required, the officials shall offer the
3 opportunity for the elector to vote under s. 6.97.

4 **SECTION 25.** 6.79 (2) (d) of the statutes, as affected by 2009 Wisconsin Act
5 (this act), is amended to read:

6 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
7 required and the document provided by the elector under par. (a) does not constitute
8 proof of residence under s. 6.34, the officials shall require the elector to provide proof
9 of residence. If proof of residence is provided, the officials shall verify that the name
10 and address on the document submitted as proof of residence provided is the same
11 as the name and address shown on the registration list. If proof of residence is
12 required and not provided, or if the elector does not present a license ~~or~~, identification
13 card, or identification certificate under par. (a), whenever required, the officials shall
14 offer the opportunity for the elector to vote under s. 6.97.

15 **SECTION 26.** 6.79 (3) (title) of the statutes is amended to read:

16 6.79 (3) (title) ~~REFUSAL TO GIVE NAME AND ADDRESS~~ PROVIDE NAME, ADDRESS,
17 LICENSE, OR IDENTIFICATION CARD.

18 **SECTION 27.** 6.79 (3) (title) of the statutes, as affected by 2009 Wisconsin Act
19 (this act), is amended to read:

20 6.79 (3) (title) ~~REFUSAL TO PROVIDE NAME, ADDRESS, LICENSE, OR IDENTIFICATION~~
21 ~~CARD OR CERTIFICATE.~~

22 **SECTION 28.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

23 **SECTION 29.** 6.79 (3) (b) of the statutes is created to read:

24 6.79 (3) (b) If a license or identification card under sub. (2) is not provided by
25 the elector or if the name or any photograph appearing on the document that is

BILL

1 provided cannot be verified by the officials, the elector shall not be permitted to vote,
2 except as authorized under sub. (6) or (7), but if the elector is entitled to cast a
3 provisional ballot under s. 6.97, the officials shall offer the opportunity for the elector
4 to vote under s. 6.97.

5 **SECTION 30.** 6.79 (3) (b) of the statutes, as created by 2009 Wisconsin Act
6 (this act), is amended to read:

7 6.79 (3) (b) If a license ~~or~~ identification card, or identification certificate under
8 sub. (2) is not provided by the elector or if the name or any photograph appearing on
9 the document that is provided cannot be verified by the officials, the elector shall not
10 be permitted to vote, except as authorized under sub. (6) or (7), but if the elector is
11 entitled to cast a provisional ballot under s. 6.97, the officials shall offer the
12 opportunity for the elector to vote under s. 6.97.

13 **SECTION 31.** 6.79 (4) of the statutes is amended to read:

14 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of
15 residence under s. 6.15, 6.29 or 6.55 (2), the election officials shall enter the type of
16 identifying document provided on the poll list, or separate list maintained under sub.
17 (2) (c). If the document submitted as proof of identity or residence includes a number
18 which applies only to the individual holding that document, the election officials
19 shall also enter that number on the list. ~~When any elector corroborates the~~
20 ~~registration identity or residence of any person offering to vote under s. 6.55 (2) (b)~~
21 ~~or (c), or the registration identity or residence of any person registering on election~~
22 ~~day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address~~
23 ~~of the corroborator next to the name of the elector whose information is being~~
24 ~~corroborated on the poll list, or the separate list maintained under sub. (2) (c). When~~

BILL**SECTION 31**

1 any person offering to vote has been challenged and taken the oath, following the
2 person's name on the poll list, the officials shall enter the word "Sworn".

3 **SECTION 32.** 6.79 (6) of the statutes is amended to read:

4 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential
5 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
6 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
7 in lieu of stating his or her name and address and presenting a license or
8 identification card under sub. (2). If the elector's name and identification serial
9 number appear on the confidential portion of the list, the inspectors shall issue a
10 voting serial number to the elector, record that number on the poll list and permit
11 the elector to vote.

12 **SECTION 33.** 6.79 (6) of the statutes, as affected by 2009 Wisconsin Act (this
13 act), is amended to read:

14 6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential
15 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
16 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
17 in lieu of stating his or her name and address and presenting a license ~~or,~~
18 identification card, or identification certificate under sub. (2). If the elector's name
19 and identification serial number appear on the confidential portion of the list, the
20 inspectors shall issue a voting serial number to the elector, record that number on
21 the poll list and permit the elector to vote.

22 **SECTION 34.** 6.79 (7) of the statutes is created to read:

23 6.79 (7) LICENSE SURRENDER. If an elector receives a citation or notice of intent
24 to revoke or suspend an operator's license from a law enforcement officer in any
25 jurisdiction that is dated within 60 days of the date of an election and is required to

BILL

1 surrender his or her operator's license issued to the elector under ch. 343 at the time
2 the citation or notice is issued, the elector may present an original copy of the citation
3 or notice in lieu of an operator's license under ch. 343. In such case, the elector shall
4 cast his or her ballot under s. 6.965.

5 **SECTION 35.** 6.82 (1) (a) of the statutes is amended to read:

6 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
7 to the polling place who as a result of disability is unable to enter the polling place,
8 they shall permit the elector to be assisted in marking a ballot by any individual
9 selected by the elector, except the elector's employer or an agent of that employer or
10 an officer or agent of a labor organization which represents the elector. The Except
11 as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present
12 to the inspectors a valid operator's license issued to the elector under ch. 343, a valid,
13 current identification card issued to the elector by a U.S. uniformed service, or a valid
14 identification card issued to the elector under s. 343.50 and, if the license or
15 identification card does not constitute proof of residence under s. 6.34, shall also
16 provide proof of residence under s. 6.34 for the assisted elector, whenever required,
17 and all other information necessary for the elector to obtain a ballot under s. 6.79 (2).
18 The inspectors shall issue a ballot to the individual selected by the elector and shall
19 accompany the individual to the polling place entrance where the assistance is to be
20 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after
21 the ballot is marked by the assisting individual. The assisting individual shall then
22 immediately take the ballot into the polling place and give the ballot to an inspector.
23 The inspector shall distinctly announce that he or she has "a ballot offered by
24 (stating person's name), an elector who, as a result of disability, is unable to enter the
25 polling place without assistance". The inspector shall then ask, "Does anyone object

BILL

1 to the reception of this ballot?" If no objection is made, the inspectors shall record
2 the elector's name under s. 6.79 and deposit the ballot in the ballot box, and shall
3 make a notation on the poll list: "Ballot received at poll entrance".

4 **SECTION 36.** 6.82 (1) (a) of the statutes, as affected by 2009 Wisconsin Act
5 (this act), is amended to read:

6 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
7 to the polling place who as a result of disability is unable to enter the polling place,
8 they shall permit the elector to be assisted in marking a ballot by any individual
9 selected by the elector, except the elector's employer or an agent of that employer or
10 an officer or agent of a labor organization which represents the elector. Except as
11 authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present
12 to the inspectors a valid operator's license issued to the elector under ch. 343, a valid,
13 current identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
14 identification card issued to the elector under s. 343.50, or a valid identification
15 certificate issued to the elector under s. 343.505 and, if the license ~~or~~, identification
16 card, or identification certificate does not constitute proof of residence under s. 6.34,
17 shall also provide proof of residence under s. 6.34 for the assisted elector, whenever
18 required, and all other information necessary for the elector to obtain a ballot under
19 s. 6.79 (2). The inspectors shall issue a ballot to the individual selected by the elector
20 and shall accompany the individual to the polling place entrance where the
21 assistance is to be given. If the ballot is a paper ballot, the assisting individual shall
22 fold the ballot after the ballot is marked by the assisting individual. The assisting
23 individual shall then immediately take the ballot into the polling place and give the
24 ballot to an inspector. The inspector shall distinctly announce that he or she has "a
25 ballot offered by (stating person's name), an elector who, as a result of disability,

BILL

1 is unable to enter the polling place without assistance". The inspector shall then ask,
2 "Does anyone object to the reception of this ballot?" If no objection is made, the
3 inspectors shall record the elector's name under s. 6.79 and deposit the ballot in the
4 ballot box, and shall make a notation on the poll list: "Ballot received at poll
5 entrance".

6 **SECTION 37.** 6.86 (1) (ac) of the statutes is amended to read:

7 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
8 to the municipal clerk for an official ballot by means of facsimile transmission or
9 electronic mail. Any application under this paragraph shall contain a copy of the
10 applicant's original signature. An elector requesting a ballot under this paragraph
11 shall return with the voted ballot a copy of the request bearing an original signature
12 of the elector as provided in s. 6.87 (4) (b).

13 **SECTION 38.** 6.86 (1) (ar) of the statutes is amended to read:

14 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
15 issue an absentee ballot unless the clerk receives a written application therefor from
16 a qualified elector of the municipality. The clerk shall retain each absentee ballot
17 application until destruction is authorized under s. 7.23 (1). Except as authorized
18 in s. 6.79 (6) and (7), if an elector applies for an absentee ballot in person at the clerk's
19 office, the clerk shall not issue the elector an absentee ballot unless the elector
20 presents a valid operator's license issued to the elector under ch. 343, a valid, current
21 identification card issued to the elector by a U.S. uniformed service, or a valid
22 identification card issued to the elector under s. 343.50. The clerk shall make a copy
23 of the document presented by the elector and shall enclose the copy in the certificate
24 envelope.

BILL**SECTION 39**

1 **SECTION 39.** 6.86 (1) (ar) of the statutes, as affected by 2009 Wisconsin Act
2 (this act), is amended to read:

3 6.86 **(1)** (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
4 issue an absentee ballot unless the clerk receives a written application therefor from
5 a qualified elector of the municipality. The clerk shall retain each absentee ballot
6 application until destruction is authorized under s. 7.23 (1). Except as authorized
7 in s. 6.79 (6) and (7), if an elector applies for an absentee ballot in person at the clerk's
8 office, the clerk shall not issue the elector an absentee ballot unless the elector
9 presents a valid operator's license issued to the elector under ch. 343, a valid, current
10 identification card issued to the elector by a U.S. uniformed service, ~~or~~ a valid
11 identification card issued to the elector under s. 343.50, or a valid identification
12 certificate issued to the elector under s. 343.505. The clerk shall make a copy of the
13 document presented by the elector and shall enclose the copy in the certificate
14 envelope.

15 **SECTION 40.** 6.86 (3) (a) 1. of the statutes is amended to read:

16 6.86 **(3)** (a) 1. Any elector who is registered and who is hospitalized, may apply
17 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
18 for the hospitalized absent elector by presenting a form prescribed by the board and
19 containing the required information supplied by the hospitalized elector and signed
20 by that elector ~~and any other elector residing in the same municipality as the~~
21 ~~hospitalized elector, corroborating the information contained therein. The~~
22 ~~corroborating elector shall state on the form his or her full name and address. Except~~
23 as authorized for an elector who has a confidential listing under s. 6.47 (2) or as
24 authorized in s. 6.87 (4) (b) 4., the agent shall present the license or identification

BILL

1 card required under sub. (1) (ar). The clerk shall make a copy of the document
2 presented by the agent and shall enclose the copy in the certificate envelope.

3 **SECTION 41.** 6.86 (3) (a) 1. of the statutes, as affected by 2009 Wisconsin Act
4 (this act), is amended to read:

5 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
6 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
7 for the hospitalized absent elector by presenting a form prescribed by the board and
8 containing the required information supplied by the hospitalized elector and signed
9 by that elector. Except as authorized for an elector who has a confidential listing
10 under s. 6.47 (2) or as authorized in s. 6.87 (4) (b) 4., the agent shall present the
11 license or, identification card, or identification certificate required under sub. (1) (ar).
12 The clerk shall make a copy of the document presented by the agent and shall enclose
13 the copy in the certificate envelope.

14 **SECTION 42.** 6.86 (3) (a) 2. of the statutes is amended to read:

15 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register
16 by agent under this subdivision at the same time that the elector applies for an
17 official ballot by agent under subd. 1. To register the elector under this subdivision,
18 the agent shall present a completed registration form that contains the required
19 information supplied by the elector and the elector's signature, unless the elector is
20 unable to sign due to physical disability. In this case, the elector may authorize
21 another elector to sign on his or her behalf. Any elector signing a form on another
22 elector's behalf shall attest to a statement that the application is made on request
23 and by authorization of the named elector, who is unable to sign the form due to
24 physical disability. The agent shall present this statement along with all other
25 information required under this subdivision. ~~Except as otherwise provided in this~~

BILL**SECTION 42**

1 ~~subdivision, the~~ The agent shall in every case provide proof of the elector's residence
2 under s. 6.34. If the elector is registering to vote in the general election and the agent
3 presents a valid driver's license issued to the elector by another state, the municipal
4 clerk shall record on a separate list the name and address of the elector, the name
5 of the state, and the license number and expiration date of the license. ~~If the agent~~
6 ~~cannot present proof of residence, the registration form shall be signed and~~
7 ~~substantiated by another elector residing in the elector's municipality of residence,~~
8 ~~corroborating the information in the form. The form shall contain the full name and~~
9 ~~address of the corroborating elector. The agent shall then present proof of the~~
10 ~~corroborating elector's residence under s. 6.34.~~

11 **SECTION 43.** 6.869 of the statutes is amended to read:

12 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
13 for absentee voters. The instructions shall include information concerning whether
14 a copy of a license or identification card is required under s. 6.86 (1) (ar) or 6.87 (4)
15 (b) and information concerning the procedure for correcting errors in marking a
16 ballot and obtaining a replacement for a spoiled ballot. The procedure shall, to the
17 extent possible, respect the privacy of each elector and preserve the confidentiality
18 of each elector's vote.

19 **SECTION 44.** 6.869 of the statutes, as affected by 2009 Wisconsin Act(this
20 act), is amended to read:

21 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
22 for absentee voters. The instructions shall include information concerning whether
23 a copy of a license ~~or~~ identification card, or identification certificate is required under
24 s. 6.86 (1) (ar) or 6.87 (4) (b) and information concerning the procedure for correcting
25 errors in marking a ballot and obtaining a replacement for a spoiled ballot. The

BILL

1 procedure shall, to the extent possible, respect the privacy of each elector and
2 preserve the confidentiality of each elector's vote.

3 **SECTION 45.** 6.87 (3) (d) of the statutes is amended to read:

4 6.87 (3) (d) A municipal clerk may, if the clerk is reliably informed by an absent
5 elector of a facsimile transmission number or electronic mail address where the
6 elector can receive an absentee ballot, transmit a facsimile or electronic copy of the
7 absent elector's ballot to that elector in lieu of mailing under this subsection if, in the
8 judgment of the clerk, the time required to send the ballot through the mail may not
9 be sufficient to enable return of the ballot by the time provided under sub. (6). An
10 elector may receive an absentee ballot under this subsection only if the elector has
11 filed a valid application for the ballot under s. 6.86 (1). If the clerk transmits an
12 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or
13 electronic copy of the text of the material that appears on the certificate envelope
14 prescribed in sub. (2), together with instructions prescribed by the board. The
15 instructions shall require the absent elector to make and subscribe to the
16 certification as required under sub. (4) (b) and to enclose the absentee ballot in a
17 separate envelope contained within a larger envelope, that shall include the
18 completed certificate. The elector shall then affix sufficient postage unless the
19 absentee ballot qualifies for mailing free of postage under federal free postage laws
20 and shall mail the absentee ballot to the municipal clerk. Except as authorized in
21 s. 6.97 (2), an absentee ballot received under this paragraph shall not be counted
22 unless it is cast in the manner prescribed in this paragraph and in accordance with
23 the instructions provided by the board.

24 **SECTION 46.** 6.87 (4) of the statutes is renumbered 6.87 (4) (b) 1. and amended
25 to read:

BILL**SECTION 46**

1 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting
2 absentee shall make and subscribe to the certification before one witness who is an
3 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
4 ballot in a manner that will not disclose how the elector's vote is cast. The elector
5 shall then, still in the presence of the witness, fold the ballots so each is separate and
6 so that the elector conceals the markings thereon and deposit them in the proper
7 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
8 ballot so that the elector conceals the markings thereon and deposit the ballot in the
9 proper envelope. If proof of residence is required Except as authorized in subds. 2.
10 to 5. and s. 6.875 (6) and notwithstanding s. 343.43 (1) (f), the elector shall enclose
11 a copy of the license or identification card required under s. 6.86 (1) (ar) in the
12 envelope, unless the elector is a military elector or an overseas elector or the elector
13 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is
14 required and the document enclosed by the elector under this subdivision does not
15 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
16 residence under s. 6.34 in the envelope. Proof of residence is required if the elector
17 is not a military elector or an overseas elector, as defined in s. 6.34 (1), and the elector
18 registered by mail and has not voted in an election in this state. If the elector
19 requested a ballot by means of facsimile transmission or electronic mail under s. 6.86
20 (1) (ac), the elector shall enclose in the envelope a copy of the request which bears an
21 original signature of the elector. The elector may receive assistance under sub. (5).
22 The return envelope shall then be sealed. The witness may not be a candidate. The
23 envelope shall be mailed by the elector, or delivered in person, to the municipal clerk
24 issuing the ballot or ballots. If the envelope is mailed from a location outside the
25 United States, the elector shall affix sufficient postage unless the ballot qualifies for

BILL

1 delivery free of postage under federal law. Failure to return an unused ballot in a
2 primary does not invalidate the ballot on which the elector's votes are cast. Return
3 of more than one marked ballot in a primary or return of a ballot prepared under s.
4 5.655 or a ballot used with an electronic voting system in a primary which is marked
5 for candidates of more than one party invalidates all votes cast by the elector for
6 candidates in the primary.

7 **SECTION 47.** 6.87 (4) (a) of the statutes is created to read:

8 6.87 (4) (a) In this subsection:

9 1. "Military elector" has the meaning given in s. 6.34 (1) (a).

10 2. "Overseas elector" has the meaning given in s. 6.34 (1) (b).

11 **SECTION 48.** 6.87 (4) (b) 1. of the statutes, as affected by 2009 Wisconsin Act
12 (this act), is amended to read:

13 6.87 (4) (b) 1. Except as otherwise provided in s. 6.875, the elector voting
14 absentee shall make and subscribe to the certification before one witness who is an
15 adult U.S. citizen. The absent elector, in the presence of the witness, shall mark the
16 ballot in a manner that will not disclose how the elector's vote is cast. The elector
17 shall then, still in the presence of the witness, fold the ballots so each is separate and
18 so that the elector conceals the markings thereon and deposit them in the proper
19 envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the
20 ballot so that the elector conceals the markings thereon and deposit the ballot in the
21 proper envelope. Except as authorized in subds. 2. to 5. and s. 6.875 (6) and
22 notwithstanding s. 343.43 (1) (f), the elector shall enclose a copy of the license or,
23 identification card, or identification certificate required under s. 6.86 (1) (ar) in the
24 envelope, unless the elector is a military elector or an overseas elector or the elector
25 has a confidential listing under s. 6.47 (2). If proof of residence under s. 6.34 is

BILL

1 required and the document enclosed by the elector under this subdivision does not
2 constitute proof of residence under s. 6.34, the elector shall also enclose proof of
3 residence under s. 6.34 in the envelope. Proof of residence is required if the elector
4 is not a military elector or an overseas elector and the elector registered by mail and
5 has not voted in an election in this state. If the elector requested a ballot by means
6 of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector shall
7 enclose in the envelope a copy of the request which bears an original signature of the
8 elector. The elector may receive assistance under sub. (5). The return envelope shall
9 then be sealed. The witness may not be a candidate. The envelope shall be mailed
10 by the elector, or delivered in person, to the municipal clerk issuing the ballot or
11 ballots. If the envelope is mailed from a location outside the United States, the
12 elector shall affix sufficient postage unless the ballot qualifies for delivery free of
13 postage under federal law. Failure to return an unused ballot in a primary does not
14 invalidate the ballot on which the elector's votes are cast. Return of more than one
15 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot
16 used with an electronic voting system in a primary which is marked for candidates
17 of more than one party invalidates all votes cast by the elector for candidates in the
18 primary.

19 **SECTION 49.** 6.87 (4) (b) 2. of the statutes is created to read:

20 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
21 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
22 may, in lieu of providing a copy of a license or identification card required under s.
23 6.86 (1) (ar), submit with his or her absentee ballot a statement signed by the same
24 individual who witnesses voting of the ballot which contains the name and address
25 of the elector and verifies that the name and address are correct.

BILL

1 **SECTION 50.** 6.87 (4) (b) 2. of the statutes, as created by 2009 Wisconsin Act
2 (this act), is amended to read:

3 6.87 (4) (b) 2. Unless subd. 3. applies, if the absentee elector has applied for and
4 qualified to receive absentee ballots automatically under s. 6.86 (2) (a), the elector
5 may, in lieu of providing a copy of a license or, identification card, or identification
6 certificate required under s. 6.86 (1) (ar), submit with his or her absentee ballot a
7 statement signed by the same individual who witnesses voting of the ballot which
8 contains the name and address of the elector and verifies that the name and address
9 are correct.

10 **SECTION 51.** 6.87 (4) (b) 3. of the statutes is created to read:

11 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the
12 municipal clerk by mail for a previous election, has provided a copy of a license or
13 identification card required under s. 6.86 (1) (ar) with that ballot, and has not
14 changed his or her name or address since providing that identification, the elector
15 is not required to provide a copy of the identification required under s. 6.86 (1) (ar).

16 **SECTION 52.** 6.87 (4) (b) 3. of the statutes, as created by 2009 Wisconsin Act
17 (this act), is amended to read:

18 6.87 (4) (b) 3. If the absentee elector has received an absentee ballot from the
19 municipal clerk by mail for a previous election, has provided a copy of a license or,
20 identification card, or identification certificate required under s. 6.86 (1) (ar) with
21 that ballot, and has not changed his or her name or address since providing that
22 identification, the elector is not required to provide a copy of the identification
23 required under s. 6.86 (1) (ar).

24 **SECTION 53.** 6.87 (4) (b) 4. of the statutes is created to read:

BILL**SECTION 53**

1 6.87 (4) (b) 4. If the absentee elector has received a citation or notice of intent
2 to revoke or suspend an operator's license from a law enforcement officer in any
3 jurisdiction that is dated within 60 days of the date of the election and is required
4 to surrender his or her operator's license issued to the elector under ch. 343 at the
5 time the citation or notice is issued, the elector may enclose a copy of the citation or
6 notice in lieu of a copy of an operator's license under ch. 343 if the elector is voting
7 by mail, or may present an original copy of the citation or notice in lieu of an
8 operator's license under ch. 343 if the elector is voting at the office of the municipal
9 clerk.

10 **SECTION 54.** 6.87 (4) (b) 5. of the statutes is created to read:

11 6.87 (4) (b) 5. Unless subd. 3. or 4. applies, if the absentee elector resides in a
12 qualified retirement home, as defined in s. 6.875 (1) (at), a qualified
13 community-based residential facility, as defined in s. 6.875 (1) (as), a residential care
14 apartment complex that is certified or registered under s. 50.034 (1), or an adult
15 family home that is certified under s. 50.032 and the municipal clerk or board of
16 election commissioners of the municipality where the complex, facility, or home is
17 located does not send special voting deputies to visit the complex, facility, or home
18 at the election under s. 6.875, the elector may, in lieu of providing a copy of a license
19 or identification card required under s. 6.86 (1) (ar), submit with his or her absentee
20 ballot a statement signed by the same individual who witnesses voting of the ballot
21 that contains the certification of the manager of the complex, facility, or home that
22 the elector resides in the complex, facility, or home and the complex, facility, or home
23 is certified or registered as required by law, that contains the name and address of
24 the elector, and that verifies that the name and address are correct.